

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES**

**S & S ENTERPRISES, LLC d/b/a  
APPALACHIAN HEATING,**

**and**

**SHEET METAL, AIR, RAIL AND  
TRANSPORTATION WORKERS,  
LOCAL UNION NO. 33.**

<b>Cases</b>	<b>09-CA-235304</b>
	<b>09-CA-235307</b>
	<b>09-CA-235314</b>
	<b>09-CA-236905</b>
	<b>09-CA-237847</b>
	<b>09-CA-237851</b>
	<b>09-CA-237858</b>
	<b>09-CA-238621</b>
	<b>09-CA-238930</b>
	<b>09-CA-239148</b>
	<b>09-CA-239170</b>
	<b>09-CA-241292</b>
	<b>09-CA-242230</b>
	<b>09-CA-242235</b>
	<b>09-CA-242238</b>

**Errata**

DAVID I. GOLDMAN, ADMINISTRATIVE LAW JUDGE. On January 15, 2020, I issued a decision and recommended order in the above-referenced matter.

In the decision, at page 50-51, I found that the Respondent's March 27, 2019, issuance of a disciplinary warning to employee Stephen Marolf violated Section 8(a)(3) and (1) of the Act. Despite this finding, the decision's conclusions of law, remedy, recommended order, and notice, inadvertently omitted any reference to or redress for this violation of the Act. I hereby correct this inadvertent omission with the following changes to the decision and recommended order. In addition, for purposes of conformity and clarification I add the year to the calendar dates stated in two paragraphs of the decision's conclusions of law. Accordingly, I make the following changes:

1. At Conclusions of Law, paragraph 10, insert "2019," after "February 25,".
2. At Conclusions of Law, paragraph 13, insert "2019," after "March 1,".
3. Add the following to Conclusions of Law, as paragraph 14, and renumber subsequent paragraphs accordingly:
  14. On or about March 27, 2019, the Respondent violated Section 8(a)(3) and (1) of the Act by discriminatorily disciplining employee Stephen Marolf because of his support for the Union and to discourage employees from supporting the Union.

4. Change the fifth paragraph of the Remedy section of the decision (formerly lines 37-39 at page 59) to read as follows:

The Respondent shall also be required to remove from its files any references to the unlawful discharge of Faubel, layoff of Armstrong, and March 27, 2019 disciplinary warning issued to Stephen Marolf, and to notify them in writing that this has been done and that the discharge, layoff, and disciplinary warning will not be used against them in any way.

5. Change the recommended Order, at 1(m), to read as follows:

(m) Discharging, laying off, issuing a disciplinary warning, or otherwise discriminating against any employee for supporting the Sheet Metal, Air, Rail and Transportation Workers, Local Union No. 33 (Union) or any other labor organization.

6. Change the recommended Order, at 2(g), to read as follows:

(g) Within 14 days from the date of this Order, remove from its files any reference to the unlawful discharge of Eric Faubel, the unlawful layoff of Brandon Armstrong, and the unlawful disciplinary warning issued to Stephen Marolf, and within 3 days thereafter, notify each of them in writing that this has been done and that the discharge, layoff, and disciplinary warning will not be used against them in any way.

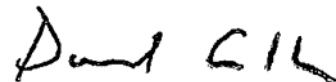
7. Change the 12th "WE WILL NOT" paragraph of the Appendix to read as follows:

WE WILL NOT discharge you, lay you off, or issue a disciplinary warning to you, because of your support for the Sheet Metal, Air, Rail and Transportation Workers, Local Union No. 33 (Union) or any other labor organization.

8. Change the seventh "WE WILL" paragraph of the Appendix to read as follows:

WE WILL within 14 days from the date of this Order, remove from our files any reference to the unlawful discharge of Eric Faubel, the unlawful layoff of Brandon Armstrong, and the unlawful disciplinary warning issued to Stephen Marolf, and WE WILL, within 3 days thereafter, notify each of them in writing that this has been done and that the discharge, layoff, and disciplinary warning will not be used against them in any way.

Dated, Washington, D.C. February 14, 2020



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David I. Goldman  
Administrative Law Judge